

1 MORGAN, LEWIS & BOCKIUS LLP
2 Michael J. Lyons (State Bar No. 202284)
3 Andrew J. Wu (State Bar No. 214442)
2 Palo Alto Square
3 3000 El Camino Real, Suite 700
Palo Alto, CA 94306-2122
4 Tel: 650.843.4000
Fax: 650.843.4001
5 mlyons@morganlewis.com
awu@morganlewis.com
6

7 MORGAN, LEWIS & BOCKIUS LLP
Daniel Johnson, Jr. (State Bar No. 57409)
8 Amy M. Spicer (State Bar No. 188399)
One Market, Spear Street Tower
9 San Francisco, CA 94105-1126
Tel: 415.442.1000
10 Fax: 415.442.1001
djohnson@morganlewis.com
aspicer@morganlewis.com
11

12 Attorneys for Defendant and Counterclaimant
PHILIPS LUMILEDS LIGHTING
13 COMPANY, LLC

AKIN GUMP STRAUSS HAUER & FELD
Yitai Hu (State Bar No. 248085)
Steven D. Hemminger (State Bar No. 110665)
Sean Debruine (State Bar No. 168071)
Sang Hui Michael Kim (State Bar No. 203491)
Two Palo Alto Square
3000 El Camino Real, Suite 400
Palo Alto, CA 94306
Tel: 650.838.2000
Fax: 650.838.2001
yhu@akingump.com
shemminger@akingump.com
sdebruine@akingump.com
mkim@akingump.com

14 Attorneys for Plaintiff and Counterdefendant
15 EPISTAR CORPORATION

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 OAKLAND DIVISION

19 PHILIPS LUMILEDS LIGHTING
20 COMPANY, LLC,

21 Plaintiff,

22 v.

23 EPISTAR CORPORATION,

Defendant.

Case No. C 05-4521 CW

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE THE APRIL 1,
2008 CASE MANAGEMENT
CONFERENCE

CMC Date: April 1, 2008
Time: 2:00 p.m.
Location: Courtroom 2, 4th Floor
Judge: Hon. Claudia Wilken

1 EPISTAR CORPORATION,
 2 Plaintiff,
 3 v.
 4 PHILIPS LUMILEDS LIGHTING
 COMPANY, LLC,
 5 Defendant.

6
 7 AND RELATED COUNTERCLAIMS
 8

Case No. C 07-5194 CW

**AMENDED STIPULATION AND
 [PROPOSED] ORDER TO CONTINUE
 THE APRIL 1, 2008 CASE
 MANAGEMENT CONFERENCE**

CMC Date: April 1, 2008
 Time: 2:00 p.m.
 Location: Courtroom 2, 4th Floor
 Judge: Hon. Claudia Wilken

9 On January 31, 2008, defendant Philips Lumileds Lighting Company, LLC ("Lumileds")
 10 filed a motion to stay in the above-entitled *Epistar Corp. v. Philips Lumileds Lighting Co.*, Case
 11 No. 07-5194 CW, seeking to stay the case in its entirety until the conclusion of a related
 12 investigation currently pending before the International Trade Commission. (See Dkt. Nos. 30-
 13 32.) In view of Lumileds' motion to stay, this Court continued the originally scheduled Initial
 14 Case Management Conferences for both cases from February 12, 2008 until April 1, 2008. (Case
 15 No 07-5194 Dkt. No. 26; *see also* Case No. 05-4521 Dkt. No. 36.) In addition, the Court
 16 continued the requirements set forth in Federal Rule of Civil Procedure 26 and Local Civil Rule
 17 16. (Case No 07-5194 Dkt. No. 26.) The Court has now taken under submission Lumileds' fully
 18 briefed motion to stay and has stated that the motion will be decided on the papers. (*Id.*)

19 Under the current schedule, the parties are required to file a joint case management
 20 statement on March 25, 2008 in preparation for attending the April 1, 2008 Conference. In the
 21 interest of judicial economy and preserving the parties' resources, Epistar Corporation and
 22 Lumileds stipulate and jointly request that the Court continue these dates. Accordingly:

23 The parties hereby stipulate and agree that the case management conference set in both of
 24 the above-entitled cases be continued from April 1, 2008 to May 6, 2008. The parties shall file a
 25 joint case management conference statement April 29, 2008, seven calendar days prior to the
 26 conference pursuant to Civil Local Rule 16-9(a). The parties additionally stipulate and agree that
 27 requirements set forth in Federal Rule of Civil Procedure 26 and Local Rule 16 be continued
 28 accordingly.

1 Dated: March 28, 2008

2 MORGAN, LEWIS & BOCKIUS LLP

3 By: /s/ Amy M. Spicer
4 Amy M. Spicer

5 Attorneys for Defendant and
6 Counterclaimant
7 PHILIPS LUMILEDS LIGHTING
8 COMPANY, LLC

9 Dated: March 28, 2008

AKIN GUMP STRAUSS HAUER & FELD

10 By: /s/ Yitai Hu
11 Yitai Hu

12 Attorneys for Plaintiff and
13 Counterdefendant
14 EPISTAR CORPORATION

15 **-[PROPOSED] ORDER**

16 Pursuant to the parties' Stipulation above, the case management conference for both of the
17 above-entitled cases is continued from April 1, 2008 to May 6, 2008. The parties shall file a joint
18 case management conference statement April 29, 2008, seven calendar days prior to the
19 conference pursuant to Civil Local Rule 16-9(a). In addition, requirements set forth in Federal
20 Rule of Civil Procedure 26 and Local Rule 16 are continued accordingly.

21 **IT IS SO ORDERED.**



23 Dated: 3/31/08

24
25
26
27
28 CLAUDIA WILKEN
CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Amy M. Spicer, am the ECF user whose ID and password are being used to file this Stipulation to Continue the April 1, 2008 Case Management Conference. In compliance with General Order 45.X.B., I declare under the penalty of perjury under the laws of the United States of America that Yitai Hu has concurred in this filing.

Executed this 28th day of March 2008, at San Francisco, California.

/s/ Amy M. Spicer